BINGHAM McCUTCHEN RECEIVED CENTRAL FAX CENTER The property of the second of the secon

AUG 3 0 2006

## **Facsimile**

**DATE:** August 30, 2006

Examiner Jurie Yun

Bingham McCurchen LLP 1900 University Avenue East Palo Alto, CA 94303-2223

Sheila A. Badon FROM:

NAME

(650) 849-4800

571-273-8300

FAX

(650) 849-4455

571-272-2497

PHONE

650,849,4400 650.849.4800 fox

PAGES: (INCLUDING THIS COVER PAGE): 15

sheila.badon@bingham.com

U.S. Patent and Trademark Office

binghom,com

RE: U.S. Patent Application Serial No: 10/687,573

Entitled: Multi-Energy X-Ray Source Filed: October 15, 2003

Attorney Docket No. VM7036492002

Boston Hariford

London

tos Angeles New York Orange County

Son Francisco Silicon Valley

Tokyo Walnui Craak Washington

MESSAGE:

Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):

[X] Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner Jurie Yun at Facsimile No. 571-273-8300.

Dated: August 30, 2006

Name of Person Certifying: Printed Name

Lik Balow Sheila Badon

## Enclosed:

- Transmittal (1 pg.);
- Fee Transmittal (1 pg);
- Request for Continued Examination (1 pg);
- Response to Office Action (11 pg).

For transmission problems, please call (650) 849-4825

The information in this transmittal (including attachments, if any) is privileged and confidential and is intended only for the recipient(s) listed above. If you are neither the intended recipient(s) nor a person responsible for the delivery of this transmittal to the intended recipient(s), you are hereby notified that any unauthorized reading, distribution, copying or disclosure of this transmittal is prohibited. If you have received this transmittal in error, please notify us immediately at (same telephone number as in first paragraph - will duplicate) and return the transmittal to the sender. Thank you.

Timekeeper No:	27577	Client/Matter No:	2018721-70	36492002	DATE/TIME STAMP
Client/Matter Name:	Varian Medical Systems To				
Return To:	Sheila Badon		Floor No:	04	

PA/52188431.1/2018721-7036492002

Ø1002

AUG 3 0 2006 PTO/SB/21 (09-04)
Approved for use through 07/31/2008. OMB 0851-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Approved for use through 07/31/2008. OMB 0631-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1895, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

			Application Number	∍r	10/687,573		
TRANSMITTAL FORM			Filing Date		October 15, 2003		
			First Named Inven	tor	Edward J. SEPPI		
			Art Unit		2882		
the becaused for all correspondence after initial fillion).			Examiner Name		Jurie Yun		
(to be used for all correspondence after initial filling) Total Number of Pages in This Submission 3(			Attorney Docket N	umber	2002		
	<u> </u>	ENCLO	SURES (check all the	t apply)			
Fea Transmittal Form		Formal Di	awing(s)		After Allo	owance Communication to TC	
Fee Attached		Licensing		Appeal Communication to Board of Appeals and Interferences			
Amendment / Reply		Petition			Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)		
After Final (11 pgs).		Petition to Convert to a Provisional Application			Proprietary Information		
Affidavits/declaration	ı(s)	Power of Attorney, Revocation Change of Correspondence Address			Status Letter		
Extension of Time Requi	est	Terminal	Disclaimer		Other Enclosure(s) (please identify below):		
Express Abandonment F	press Abandonment Request				Request for Continued Examination (RCE) Fax Cover Sheet to Examiner		
Distriction Displaying Chalemont			nber of CD(s) ndscape Table on CD				
Certified Copy of Priority Document(s)		Remarks		<u></u>			
Reply to Missing Parts/ Incomplete Application Reply to Missing Parts/ under 37 CFR1.52 of							
		NATURE OF A	APPLICANT, ATTO	RNEY, OI	R AGENT		
Firm .	SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT  Firm Bingham McCutchen LLP						
Signature	Signature Carculle						
Printed Name Gerald Chan							
Date August 32			<b>7</b> , 2006	Reg. No.	51,541		
			TE OF TRANSMIS				
I hereby certify that this com Service with sufficient posta Alexandria, VA 22313-1450	ge as first o	hs ni lism aask	enyelope addressed to	USPTO or o: Commiss	deposited wit sioner for Pate	th the United States Postal ents, P.O. Box 1450,	
Signature	Si	wile &	0		,		
Typed or printed name	Sheila Badon				Date	August 30, 2006	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. The will vary depending upon the Individual case. Any comments on the amount of time you require to complete this form and/or suggressions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Effective on 12/08/2004.

Complete If Known

PTO/SB/17 (12-04v2)
Approved for use through 07/31/2006, CMB 0851-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Fees pursuant to the Consolidate	oriations Act, 2005 (H.R. 4818).	.							
CEE TO ANGMITTAL			Applica	alion Number	10/687,573				
FEE TRANSMITTAL			Filing (	Date	October 15, 200	13 <b>R</b>	ECEIVED		
for FY 2006				amed Inventor	Edward J. Sepp	CENTR	AL FAX CENTER		
Applicant claims small entity status. See 37 CFR 1.27				ner Name	Jurie Yun 🛕		G 3 0 2006		
			Art Un	it	2882				
TOTAL AMOUNT OF PAYN	MENT	NT (\$) 790.00		y Docket No.	VM7036492002				
	**************************************	<u>-</u>							
METHOD OF PAYMENT	•								
☐ Check ☐ Credit Card	□м	oney Order 🔲 None 🗀	Other (	please identify	r):				
Deposit Account Depos			-	•					
For the above-ident	tified de	posit account, the Director	is hereby	authorized to:	(check all that appl	у)			
Charge fee(s	s) indica	ited below		☐ Chan	ge fee(s) indicated	below, excep	nt for the filing fee		
Charge any	addition	al fee(s) or underpayments	of fee(s)	☐ Cred	It any overpayment	is .			
Under 37 CF WARNING: Information on this	FR 1 16	and 1 17			a included on this fo	rm. Provide er	edit card		
WARNING: Information on this information and authorization of	n PTO-2	038.	iniomae	on snould not b	e inconer ou fuis to	THE LIAMAS C			
FEE CALCULATION									
1. BASIC FILING, SEAR	CH. A	ND EXAMINATION FEE	S		· · · · · · · · · · · · · · · · · · ·		-		
			EARCH			TION FEES			
	- (4)	Small Entity	(A)	Small Entity		mall Entity	Fees Paid (\$)		
	Fee (\$)		ee(\$)	<u>Fee(\$)</u>	<u>Fee(\$)</u>	Fee(\$) 100	rees raiu (4)		
	300	-	00	250	200	65			
	200		00	50	130				
	200	-	00	150	160	80			
	300	-	00	250	600	300 0	<del></del>		
	200	100	0	0	0	U			
2. EXCESS CLAIM FEES	S					- (A)	Small Entity		
Fee Description	. 1: n .					<u>Fee (\$)</u> 50	<u>Fee (\$)</u> 25		
Each claim over 20 (inclu Each independent claim o						200	100		
Multiple dependent claim		neruum keissues)				360	180		
Total Claims		Claims Fee(\$)	Fee	Paid (\$)		Multiple	Dependent Claims		
20 or HP=		x	= _			<u> Fee (\$</u>	<u>Fee Paid (\$)</u>		
HP = highest number of total	al claims	paid for, if greater than 20.							
Indep. Claims	Extra	Claims Fee(\$)	Fee	Pai <u>d (\$)</u>					
3 or HP=		_ x							
HP = highest number of independent claims paid for, it greater than 3.									
3. APPLICATION SIZE FEE									
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50									
lishings under 37 C	hereof	(e)), the application size is	and 37 C	3230 (3123 10) FR 1.16(s)	small entity) for e	ach additions	¥1.30		
sheets or fraction thereof. See 35 U.S.C. 41(a)(I)(G) and 37 CFR 1.16(s).  Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$). Fee Paid (\$)									
- 100 = /50 = (round up to a whole number) x =									
4. OTHER FEE(S)									
	Non-English Specification, \$130 fcc (no small entity discount)								
Other (e.g., late filing surcharge): Request for Continued Examination (RCE) 790.00									
SUBMITTED BY		<del></del>		<u>.                                    </u>					
Signature		culle	بی	Registration No. (Attorney/Agent)	51,541	Telephone	650-849-4960		
	ld Chai	***				Date	August 30 ,2006		

This collection of Information is required by 37 CFR 1.136. The Information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiability is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Difficer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND PÉES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.